

A4.8.7

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2197

1 JULY 92

E C C
P O BOX 537
KENGREY
2100

RE: RECENT LEGISLATION INTRODUCED ON CONSCRIPTION

DEAR SIR/MADAM

AWARE OF YOUR WORKLOAD, I WOULD BE VERY GRATEFULL IF YOU COULD INFORM ME ON THE FOLLOWING:

- 1) WHAT CHANGES DOES THE NEW LEGISLATION MAKE TO THE EXISTING LAW AND
- 2) WHAT ARE THE CONSEQUENCES OF SOMEONE FAILING TO REPORT FOR CALLUP

YOUR HELP AND GUIDANCE IS MUCH APPRECIATED

THANKING YOU.
YOURS FAITHFULLY



P GOMES (Mr.)

replied 20/07/92

END CONSCRIPTION CAMPAIGN

P.O. Box 537
Kengray 2100

Phone: 836-8423
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17 July 1992

The Director
SALDEF
P.O. Box 23161
Claremont
7935

Dear Mr Makhubela

Application for SALDEF funding for defence of conscripts charged with failing to report for military service.

On behalf of the End Conscription Campaign I would like to support the motivation for funding to be made available for the defence of people who have been charged with failing to report for military service.

The Defence Act provides that people can be charged either with "refusing to do military service" or with "failing to report for military service."

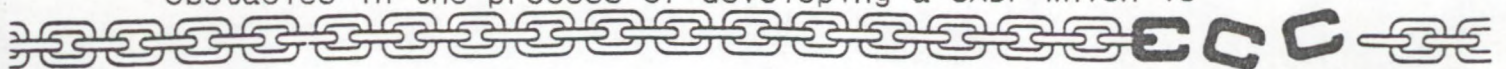
In the recent period there has been some form of moratorium on prosecutions of people for "refusing to do military service". The motivation given by the government for the moratorium was that prosecutions had been suspended pending the outcome of the Gleeson Committee of Investigation into Conscientious Objection. The recommendations of the Gleeson Committee have now been implemented as part of the Defence Amendment Act which came into effect on the 6th of July.

It is possible therefore that the government will resume prosecutions of people for "refusing to do military service". Nevertheless the position at present is that no-one has been charged for this offence for the last year.

The main way in which, in the recent period, the government has been using the law to intimidate people into reporting for military service has been through charging people with "failing to report for" military service. This is a relatively minor offence for which people who are convicted usually end up paying a fine of approximately R400. Nevertheless the government is basically relying on people's fear of being arrested, charged, and convicted under this provision to maintain conscription.

The people who are being charged for failing to report for military service are ordinary white South Africans. Many of them have served in the SADF in the past and do not necessarily have any particular allegiances to the democratic movement. Nevertheless they are part of a growing movement of opposition to conscription. By defending a number of them in court we would be creating a significant obstacle to the operation of the entire call-up system.

Whites only conscription is one of the obstacles to the democratisation of South African society. It is also one of the obstacles in the process of developing a SADF which is



End Conscription Campaign

representative of South Africans. Recently the Government has been calling people up on a "72 hour standby" to threaten those who are engaging in the mass action campaign. Defending people who are charged with failing to report for military service would significantly contribute to the pressure on the government to bring about an end to conscription.

Thank you for giving your consideration to this application.

Yours sincerely

A handwritten signature in cursive script, appearing to read "David Bruce".

David Bruce
ECC national office worker

Collection Number: AG1977

END CONSCRIPTION CAMPAIGN (ECC)

PUBLISHER:

Publisher:- Historical Papers Research Archive

Location:- Johannesburg

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